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TOMCAR LTD.
c/o TomCar (USA)
134 West 26th Street, 9th Floor
New York, New York 10001

March 28, 2005

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In re Application of :
Joshua Gordon :
Ser. No. 10/801, 298 :
Filed: March 16, 2004 : Confirmation No. 3032
For: Light Armored Vehicle :

Commissioner for Patents
United States Patent and Trademark Office
Box 1450
Alexandria, VA 22313-1450

Re: Assertion of Non-Inventorship

Dear Sirs:

The undersigned, Tomcar Ltd., a company of Kibbutz Givaat-Hashlosa, Israel, registered under the laws of Israel, hereby disputes the above patent application filed by Mr. Joshua Gordon on the following grounds:

1. The application, a Light Armored Vehicle, was conceived, designed and developed, entirely and solely by Tomcar Ltd., in its premises in Kibbutz Givaat Hashlosa in Israel. http://tomcar.com/Armadillo_features.html
2. In 1997, Tomcar Ltd. developed the Tomcar vehicle which is the basis for the Light Armored Vehicle. The armored version of the Tomcar was developed by Tomcar in collaboration with the Israel Defense Force (IDF) during 2003. All rights, title and interest to said armored vehicle are owned and retained by Tomcar.
3. The armored vehicle product was sold to the IDF in November 2003 and is currently being used by the IDF.

4. The armored vehicle product was exhibited by Tomcar in the Low Intensity Conflict conference in Tel Aviv in March 2004.

<http://www.defense-update.com/events/2004/summary/LIC041-hs-vehicles.htm>

<http://www.defense-update.com/products/t/tomcar-armored.htm>

5. Joshua Gordon is not currently and has never been in the past, an employee of Tomcar Ltd. nor a collaborator in the conception or development of Tomcar or the armored version of Tomcar.

6. Joshua Gordon, whose company (ATS Israel) had an agreement with Tomcar Ltd. to sell the armored vehicle product in certain markets, had unlawfully taken certain drawings of the product and filed for a patent with your office.

7. Tomcar has demanded Mr. Gordon to immediately withdraw his application and Tomcar intends to take all legal action against Mr. Gordon in Israel.

We will be happy to answer any questions or provide other relevant data which you may require in this respect.

Very truly yours,

TomCar Ltd.

By:  

Ramy Weitz